

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

KANDIS PAOLONE

Plaintiff,

vs.

Civil Action No. 1:12-CV-1333
(NAM/TWD)

WAL-MART STORES, INC.

Defendant.

APPEARANCES:

OF COUNSEL:

Halunen & Associates
1650 IDS Center
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Minneapolis, MN 55402
Attorney for Plaintiff

Clayton D. Halunen, Esq.
Melissa Weiner Wolchansky, Esq.
Susan M. Coler, Esq.

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Attorney for Plaintiff

Michael R. Reese, Esq.

Iseman, Cunningham Law Firm
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Albany, NY 12203
Attorney for Defendant

Brian M. Culnan, Esq.

Foley, Larnder Law Firm
321 North Clark Street
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Chicago, IL 60610
Attorney for Defendant

Charles R. Mandly, Jr., Esq.
Craig Fochler, Esq.
Jaclyne D. Wallace, Esq.

Norman A. Mordue, U.S. District Judge

JUDGMENT DISMISSING ACTION
BASED UPON SETTLEMENT

Pursuant to a report of Plaintiff's counsel (Dkt. No. 58) , the parties have entered into an

agreement in settlement of all claims in this action. Accordingly, pursuant to N.D.N.Y.L.R. 68.2(a), it is hereby

ORDERED, as follows:

1) The above captioned case is hereby **DISMISSED** in its entirety **without prejudice** to re-opening upon the motion of any party within thirty days of the date of the filing of this order upon a showing that the settlement was not consummated;

2) The dismissal of the above captioned case shall become **with prejudice** on the thirty-first day after the date of the filing of this order unless any party moves to re-open this case within thirty days of the date of filing of this order upon a showing that the settlement was not consummated. Upon completion of settlement, the parties are directed to exchange general releases and file a **Stipulation of Discontinuance** with the Court that must include language **"that no party hereto is an infant or incompetent"** in compliance with N.D.N.Y.L.R. 41.3; and

3) The Clerk shall serve copies of this Judgment upon counsel in this matter by electronic means;

4) The motion to dismiss (Dkt. No. 31) is deemed moot.

IT IS SO ORDERED

Date: June 18, 2013


Honorable Norman A. Mordue
U.S. District Judge